

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F054603      People v. Ramon**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F054864      People v. Deanda**

The judgment is affirmed. Cornell, Acting P.J.

We concur: Dawson, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F054855      People v. Deanda**

The judgment is affirmed. Cornell, Acting P.J.

We concur: Dawson, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F056077      People v. Murphy**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F056077      People v. Murphy**

The judgment is affirmed with modifications. Dawson, J.

We concur: Ardaiz, P.J. ; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F055117      People v. Rodrigues**

The judgment is affirmed. Dawson, Acting P.J.

We concur: Hill, J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F055440      In re M.V., a Person Coming Under the Juvenile Court Law**

The judgment is affirmed. Gomes, J.

We concur: Wiseman, Acting P.J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F056144      Kevin L. Murphy v. T. MacLennan et al.**

The trial court's order sustaining the demurrer as to the first cause of action for medical malpractice against defendant Drs. Leong and Ayson is reversed. The lower court is directed to enter a new order overruling the demurrer to the first cause of action. The balance of the trial court's order sustaining demurrer without leave to amend is affirmed. Plaintiff and defendant Drs. Leong and Ayson are to bear their own costs on appeal. The trial court's order granting summary judgment in favor of defendant Dr. MacLennan is affirmed. Costs on appeal are awarded to defendant Dr. MacLennan. Kane, J.

We concur: Wiseman, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F055641      People v. Jackson**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F054995      People v. Perez**

This matter is remanded to the trial court with instructions to conduct an evidentiary hearing during which the prosecution shall bear the burden of proving the crimes alleged in the charged counts fell within the statute of limitations. If the prosecution fails to meet that burden at the evidentiary hearing, then the trial court must dismiss such counts. If the prosecution meets that burden at the evidentiary hearing and appellant continues to dispute the statute of limitations, then the relevant counts must be tried before a jury unless waived by the parties. If the prosecution meets that burden at the evidentiary hearing and appellant no longer disputes the statute of limitations, then the trial court may affirm those counts without resort to further jury trial. Kane, J.

We concur: Wiseman, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F055910      Estate of Fred Robinson et al.,**

The order is affirmed. Costs on appeal are awarded to respondent. Levy, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]